

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
 Plaintiff,)
)
 v.)
)
ATTICUS, LLC,)
)
 Defendant.)

ORDER

This matter is before the court on Plaintiff's motion to seal a portion of an exhibit submitted in connection with Defendant's Response to Plaintiff's Motion for Leave to File a Reply in Support of its Motion to Maintain Confidentiality Designations [DE #573]. Plaintiff seeks to seal the filings on the ground it contains sensitive business and technical information concerning Syngenta's azoxystrobin business. Plaintiff has filed a proposed redacted version of the document, omitting the portions it contends should not be available to the public.

For the reasons set forth in Plaintiff's motion and supporting memorandum, the court grants Plaintiff's motion to seal. The court finds that the public's common law right of access is outweighed by Plaintiff's interests in protecting against competitive and/or financial harm were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of Plaintiff's request to seal the document and a reasonable opportunity to object have been provided by the filing of

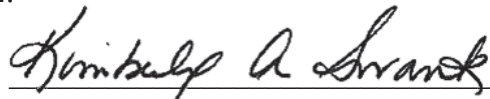
its motion, and no objections have been filed with the court. Plaintiff has narrowly tailored the request to remove only information that is sensitive and confidential and not otherwise publicly known. Furthermore, the parties have since settled all matters in controversy between them. Consequently, the sealed document will not be the subject of any ruling by the court.

CONCLUSION

For the foregoing reasons, it is hereby ORDERED as follows:

1. Plaintiff's Motion to Seal [DE #584] is GRANTED; and
2. Exhibit 2 to the Declaration of Robert J. Scheffel [DE #573] shall be SEALED. A redacted version is available at DE #585-2.

This 29th day of December 2022.

A handwritten signature in black ink, reading "Kimberly A. Swank", written over a horizontal line.

KIMBERLY A. SWANK

United States Magistrate Judge